

distributed on a quarterly basis by the Secretary of State, along with the EFS farm product list. In the case of particular types of agricultural liens identified in the bill, a buyer would buy property free of a lien if that lien is not on the most recent master lien list, except if a lien is filed too late for the inclusion in the latest list distribution and the buyer receives direct, written notice of the lien. The bill would provide the buyer with protection from double liability for a lien by means of issuance, by the buyer, of a multi party check made out to the seller and any lien holder. The bill also provides any payee endorser, endorsee on a multi party check with a cause of action for damages against any other party on the check who refused to endorse and thereby prevents negotiation of a check. This bill is the second of two bills, the other being 943, which grew out of the legislative study resolution LR 179 conducted by the Banking Committee last summer and fall. The concept of a master lien list was contained in LB 640, which I introduced in the 1987 session but was postponed in committee with the understanding that an interim study would be made. A lot of work has gone into LB 987. I think that the committee counsel, Bill Marienau, and I had six meetings during the summer with all the interested parties in this question, then we had three hearings over the state, one at Fall City, one at Lincoln, one at Ord and, of course, we had the hearing in front of the committee. So the bill has been thoroughly discussed. I think it is a good bill and it has been referred to several times as a bankers bill, and it has a controversial part in it, which I think has been worked out now with an amendment. But I did not look at it as a bankers bill, I thought it was a farmers bill because the one that really suffers in a case that a check is held hostage, where one of the lien holders refuses to endorse the check so that the farmer cannot cash his check, it poses a severe hardship on the farmer. In many cases it could be a very severe hardship because he still has to pay interest on the note, the money is sitting there, the banker isn't too concerned because he is getting interest on his note, and if there is any money there the banker is going to get it. In the meanwhile he doesn't have any money to buy feed or fuel or anything else that he might need. So the real victim in this check hostage part, where one lien holder would refuse to endorse the check, the real victim there is the farmer. I think that that part of it has been worked out. I think it is a good thing that this last resolution went as long because we had some final discussions that got this worked out, and I think we're having an amendment come up that both sides